

EXHIBIT 11

IN THE UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

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SIRI DIAZ, CAROLYN SIEGEL, TALIA BUMB, BLERTA
VIKKI, DANIELLE OWIMRIN, on behalf of themselves
and others similarly situated,

Plaintiffs,

-against-

SCORES HOLDING COMPANY, INC.; GO WEST
ENTERTAINMENT, INC. a/k/a SCORES WEST SIDE, and
SCORES ENTERTAINMENT, INC., a/k/a SCORES EAST
SIDE

Defendants.

CIVIL ACTION NO.: 07 Civ. 8718 (RMB)

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200 Park Avenue
New York, New York

January 28, 2008
10:10 a.m.

DEPOSITION of BLERTA VIKKI, one of
the Plaintiffs herein, pursuant to Notice,
before Ronald A. Marx, a Notary Public of the
State of New York.

ELLEN GRAUER COURT REPORTING CO. LLC
126 East 56th Street, Fifth Floor
New York, New York 10022
212-750-6434
REF: 86582

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1
2 week. You know, and if you couldn't work, you
3 just have to call and say -- you know, say to
4 the manager, "Sorry, I can't come to the work."

5 Q Now, when you say you had to work
6 five nights, what do you mean by that?

7 A I mean by that was a shift. You
8 know, we had to work -- I mean, was working
9 there less than two years, you have to be at
10 work, because I used to work a lot, some -- like
11 some years.

12 And I had to work five nights a week,
13 and it's -- you know, it's a mandatory five
14 nights a week I had to work.

15 Q What I'm trying to understand is did
16 you decide you had to work five nights a week --

17 A No.

18 Q -- or did somebody tell you you had
19 to work five nights?

20 A Somebody told me I have to work five
21 nights a week.

22 Q Who is it that told you you had to
23 work five nights a week?

24 A The manager and the house mom. I
25 mean, she gets manager from the -- whatever.

VIKKI

Q Who was the manager that told you that?

A Robert.

Q Robert?

A Yes.

Q Okay. And when did he tell you this?

A Since beginning when I start.

Q When did you start?

A I start -- I worked there was March '04. February, March. I mean, one of those.

Q Okay. Now, is this something that Robert told you before you started working?

A No. When you start working over there, when you audition and start to work and, you know -- I mean, the house mom or manager is explained to you you have to work -- if you going to get hired, you have to work five nights a week, and this time until that time.

Q I'm trying to understand when this was told to you.

A As soon you start it. First day when I started with Scores.

Q So you had an audition, you said?

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A Yes.

Q And was this told to you before or after the audition?

A After. After I got hired.

Q After you got hired?

A Yes.

Q And was there a specific time you were told to work?

A Yes.

Q What time was that?

A 6:30 I had to be in the dressing room.

Q 6:30 you had to be in the dressing room?

A Yes. By 7 o'clock I had to be on the floor.

Q And when did your shift end?

A 3 o'clock.

Q 3 o'clock in the morning?

A Yes.

Q Now, you said Robert told you this before -- after your audition, but before you started work?

A Yes.

VIKKI

Q Is that yes?

A Yes.

Q And did Robert ever discuss when you had to work or the number of days a week you had to work after you started working?

A What you mean by that? Qualify the question, please.

Q Let me break it down. After -- after that first conversation you had with him, which you said took place after your audition, did you ever have a discussion with Robert again about how many nights a week you needed to work?

A I didn't have discussion like, but when I was coming -- if I was -- I mean, sometimes I couldn't work five nights a week, and I was working three nights.

And when I was coming, he would come after me and say, you know, "You should call. Don't repeat anymore, you know. I don't want this to happen anymore. You have to work five nights since we hire -- we hired you."

Q And how many times did you have that kind of discussion that you just described?

A I mean, it was not that many, because

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I was always, you know, on track. I always --

Q On track?

A I always was on time, and I didn't want, you know, myself to be in trouble, you know. But couple of times, you know.

Q All right. You also mentioned a conversation with the house mom. Who was the house mom?

A It's Lisa or Gina.

Q Lisa or Gina?

A Yes.

Q Two different house moms?

A Yes.

Q What is it that Lisa told you about how -- how -- when you had to work?

A When they hired me, she has -- you know, she was explaining all the rules of the club.

You have to work five nights a week, and when you're new you have to work two days a week Sundays, because there was nobody, you know, that -- nobody wants to work Sundays.

And she just said you have to work two days a week Sundays, two nights a week

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Sundays for you to, you know -- to try to work in Scores.

Q So this was a conversation you had with Lisa after your audition?

A I mean, you know, the rules of the club and everything. You know. I mean, how the --

Q Let me just break it down though. I want to understand.

You just described -- was that a conversation you had with Lisa --

A About --

Q -- after your audition?

A I had -- you know, about everything, you know. When I was working -- I mean, she has to explain to me everything, you know, what I should wear and stuff, you know, about the time, about, you know, we have to work this kind of shift. That's what they're looking for.

Q Let's just stick to the conversation about when you needed to work. Okay?

And I'm just asking you when that conversation took place.

A Soon I start.

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Q After you started, did you have any additional discussions with Lisa about when you had to work?

A No, because she explained to me first time, and that was keeping that kind of shift.

Q Let's talk about Gina then. When did you have any discussions with Gina about when you needed to work?

A She would explain to me same thing that Lisa did because, you know, it's...

Q When did she do that?

A The first time I see her, you know, because she was asking me, "Who hired you?" And she was explaining to me same thing what Lisa, you know, explained to me.

Q Was Gina there when you first started?

A No. She was working different nights a week.

Q Okay. Let me understand. Gina asked you who hired you?

A "Who was over here that hired you?"
Yes.

Q And what did you say in response to

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exact, you know. And on tips, you know.

Q Plus tips?

A Yes.

Q Were you paid the same way as a waitress and as hostess?

A Yes, because I was getting tips as the hostess.

Q And prior to working at Marathon Grill, where did you work?

A Nowhere.

Q Nowhere?

A Yes. Just came in this country.

Was --

Q Where did you come from?

A Albania.

Q From Albania?

A Yes.

Q Did you work in Albania?

A No. I was in school there.

Q So your first job upon coming to the U.S. was at Marathon Grill?

A Yes.

Q And then your next job was at Scores?

A Correct.

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Q Now, did you ever work -- you said you worked at the west side club. Did you ever work at the east side club?

A Yes.

Q When did you do that?

A After nine months I work in the west side I worked in the east side.

Q But you started on the west side?

A Yes.

Q Now, when you started on the east side, did anybody speak to you about what your job would be on the east side?

A They speak with me, the house mom, but it was the same rules.

Q Well, who was the house mom?

A The same house mom.

Q So they were the same house moms on the east and the west side?

A Yes, because the west side got already house moms, you know. They just open up, and then they shared stuff until the west side would get enough staff -- you know, staff to work.

Q So did Lisa or Gina -- was there a

1 VIKKI

2 manager on the east side at that time?

3 A It was the same manager, Robert. In
4 the east side is the same manager, but he moves
5 back and forth. He goes to west and east side.

6 That time he was on east side until
7 the west side could get -- you know. I don't
8 know. I was working there at that time.

9 Q Did you have to apply for a position
10 on the east side?

11 A No. I just switched. He said I
12 didn't have to apply. If I was working Scores,
13 you can work any Scores.

14 Q Did anyone request that you move to
15 the east side?

16 A No.

17 Q Did you decide you wanted to move to
18 the --

19 A Yes. I asked the manager. He said
20 okay, no problem.

21 Q You asked the manager if you could
22 work on the east side?

23 A Yes. I asked Robert. I said, "I
24 want to work here." He said, "That's fine. I'm
25 going to talk to the managers on the west side."

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Q Did you work at any other club besides Scores West and Scores East?

A I worked for a week in Florida because they send us, Miami. I don't know the address, but they paid for us to go there when they opened the club.

Q So where in Miami did you work?

A It was a Scores in Miami. I don't know what it was address, but I remember it was Biscayne -- Biscayne Boulevard.

I don't know -- they paid for us. They paid everything. They sent about 10, 15 girls.

Q Did you work anywhere else other than those three locations you just identified?

A No.

Q How did you learn to be a dancer?

A What you mean? Clarify the question, please?

Q Well, did you consider yourself a dancer when you worked at the club?

A Not really, no.

Q What did you consider yourself to be?

A I was going to school, and I was

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call the manager."

And I got dressed, went downstairs. And, you know, I had to dance one song on the stage.

And after that she say, "Go upstairs. I'm going to come to the dressing room," and she was like, "You hired."

Q Okay. So you got dressed. By the way, which -- which of the house moms was this; do you remember?

A Would be Lisa or Marguerite. I think it was both, because the club just opened. It was -- you know, it was crossing the street together. I really don't remember, but would be one of those.

Q Marguerite?

A Marguerite, yes.

Q So they told you to get dressed in the dressing room?

A Yes. "When you're ready, let me know. We're going to go downstairs. You're going to dance one song on the stage, and you're going to come up after that, upstairs again, and I'm going to go from there."

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"If you're hired or not, the manager is going to let me know," you know, and that's what I did. And I -- the manager said, "Okay. She's hired."

Q Who was the manager?

A Was Robert. The manager was Robert. That I'm sure.

Q Okay. Now, when you got dressed in the dressing room, did you have any clothes that you brought?

A Actually I had, but she was like, "You can't wear these clothes. I give you dress for now, and when you get hired you going to buy your own dresses. You have to buy those dresses. We sell you here those kind of dresses," because the circle -- designer or something.

What I should say was you couldn't wear any kind of dresses. You know, they had to be the dresses they accepted.

Q What kind of clothes did you bring?

A I brought, I mean, normal dress. But they don't -- you know, they have to -- had to be more -- I mean, I really don't know -- how

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should I clarify that?

But they had to be -- I mean, the kind of dresses, you know, that was -- that uniform, not -- you know, my dress was too much clothes. Just like regular dress you can go out for dinner. It was not the kind of dress they was looking for.

Q So you had to -- I'm sorry. You said that -- what was -- what was the kind of dress that you needed to wear?

A You can't wear the dress to go out for dinner. That's for sure. And you can't -- I understand pretty good what kind of dress it would be.

If you can't wear the dress to go out what's -- I mean, what kind of dress it have to be? It's pretty much --

Q Well, how did the dress that you had to wear compare to the dress that you brought?

A It's completely two different, you know.

Q I understand that, and I'm asking you, what was the difference between the dress?

A Because my dress was a normal dress.

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2 It's, you know, normal. You can go anywhere. I
3 could go out for dinner with my dress.

4 But the dress they had was much -- I
5 don't know what word I should use for that. It
6 was, you know, the type of dress they was
7 looking for, like more open up, you know, to
8 show off.

9 MR. CAPOBIANCO: I think she
10 said up and up.

11 A Open up.

12 Q Oh, open up?

13 A Yes. I mean, they know better.

14 Q So aside from the dress, were there
15 other clothing you put on in the dressing room?

16 A I had to put on the high heels, and
17 they told me you can't put those high heels,
18 because this was like closed high heels.

19 You have to be open up high heels,
20 like -- like a sandle. I had like a -- you
21 know, like the part of the feet are, there
22 should not be closed.

23 They have to be open high heel, not
24 platform or whatever. They had a certain type
25 of a high heel you had to wear over there.

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Q So you brought your own high heels?

A Yes, but I couldn't wear those, and they give me a pair of high heels when I audition, and then when they hired me I had to buy whatever, you know, there was to the uniform I should buy over there, or I could buy it anywhere, but have to be, you know, for them part of the uniform, you know.

Q What I'm trying to find out is what was the difference between the high heels you brought and the high heels you needed to wear at the club?

A Because my high heels what I brought was not really high heels. It was a high heel, but a normal high heels you can wear every day, what I should say.

And their high heels was like -- you know, was really high heels, and you had to wear like -- I don't know what I should explain. Like how --

Q You mean they showed more skin?

A Yes. You know, like much -- I don't know how I should explain.

Q Were there any other clothes besides

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the dress and the high heels?

A The underwear.

Q Underwear. What was the issue with the underwear?

A You have to wear the underwear they were selling in the club.

Q What kind of underwear was it?

A What do you mean, what kind of underwear? It was --

Q Did you bring your own underwear when you came to the club?

A Yes. I couldn't wear those either, because they have their own design. You know -- I mean, I don't know.

Q You mean Scores had its own design for underwear?

A Yes. Somebody used to make those.

Q What kind of -- what does it look like?

A It looks --

Q What color was it?

A Every color. Different colors.

Q You could get a lot of different colors?

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A Yes. It's not a matter about color.

Q Did it look like your underwear?

A No.

Q Could you wear that underwear you got from Scores elsewhere?

A Not comfortable, but like personally to me, no. But I don't know if somebody else. I couldn't wear it.

Q But could you wear it?

A I was not -- I don't know, like comfortable. I don't know what I should say. Just not for --

Q You're saying you didn't find that underwear comfortable?

A Yes. I mean, I had to wear those to work over there. I had -- I didn't have any other choice, but outside there I would not wear it.

Q Aside from the underwear, what else? What -- was there anything else you needed to put on in the dressing room?

MS. GREENE: Objection. Are you still referring to the first audition or just in general?

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Q Well, let's talk about the first audition.

A What do you mean, first audition?

Q The audition you had at Scores West.

A It's the same.

Q First time.

A Yes. It's the same thing with the east side. Was same uniform. It's the same.

Q But let me ask you this. You talked about the dress.

A Yes.

Q You talked about the high heels. You talked about the underwear.

A Yes.

Q Was there anything else you needed to wear for your audition?

A No. That's it.

Q Okay. Now you -- and then you said you came down the stairs?

A Yes.

Q And you --

A The house mom.

Q And you went on the stage?

A Yes.

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2 Q Okay. And you danced?

3 A Yes.

4 Q Did you know how to dance when you
5 got there?

6 A I didn't know. I -- you know,
7 whatever -- how I know, I danced. You know,
8 maybe -- whatever like. Whatever.

9 You know, like I danced like
10 normally. Maybe I didn't know how to dance like
11 a dancer or entertainment, no. I didn't know
12 how to dance.

13 Q Were you dancing by yourself?

14 A Yes.

15 Q And how long did you dance for?

16 A With for one song.

17 Q One song?

18 A Yes.

19 Q Did you select the song?

20 A No.

21 Q Did anyone show you how to dance?

22 A No. I'm sorry. The house mom was
23 saying -- I was asking her. I was nervous. I
24 said what I should do. She said just go. Just
25 go around the stage and to the pole, and that's

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2 it.

3 Q So the house mom told you to dance
4 around the stage?

5 A Yes, you know.

6 Q Did you take any of your clothes off
7 when you were dancing?

8 A Yes.

9 Q So how did you know to do that?

10 A The house mom told me, soon as I was
11 downstairs the steps, she was saying, "Dance for
12 30 seconds -- 25 to 30 seconds and take your
13 dress off.

14 "And until the song is finished, it
15 was all finished, come downstairs from the stage
16 and put your dress on, and we're going to be
17 upstairs. Wait for me in the dressing room."

18 Q So you danced the song. Okay. And
19 then you went back upstairs?

20 A Yes.

21 Q Okay. And who came back up to tell
22 you?

23 A The house mom.

24 Q What did she say?

25 A "You're hired."

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2 Q That was Lisa?

3 A I'm sorry, but it would be Marguerite
4 or Lisa. I don't remember. I don't know, you
5 know.

6 It's been awhile. I don't know. It
7 was more chance to be Marguerite, but I'm not
8 sure. Either one.

9 Q Why did you say there's more chance
10 it was Marguerite?

11 A Because I think it was Marguerite,
12 because there was like two. I don't remember
13 who came downstairs with me, because still the
14 house mom I was working was not -- the club just
15 opened.

16 That's what I'm saying. I don't. It
17 was -- you know, it was going back and forth,
18 you know. It was changing. I don't remember.

19 Q Okay.

20 A And I was pretty much nervous.
21 That's why I don't remember.

22 Q Okay. So it was -- now, you're
23 saying that when you came down the stairs, the
24 house mom told you to take off your clothes
25 after 20 to 30 seconds?

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wear?

A I had to pay for the dress. I had to pay for high heels. I had to pay for underwear. I have to pay for garters.

Q Now, is a garter different from the underwear, or is that the same thing?

A No. It's different from underwear.

Q So there was underwear and there's a garter?

A Yes.

Q Okay. And you bought all of those things from Scores?

A Yes.

Q Do you remember how much they were?

A I remember dress was \$180. I remember. The high heels was \$80, and the underwear was 40, and the garter 20.

Q And then once you purchased those things, did they belong to you?

A Yes.

Q Were they all new when you purchased them?

A I believe yes. But who knows?

Q Now, while you were working at

1 VIKKI

2 Scores, did you have to purchase any other
3 clothing?

4 A Yes. I couldn't wear -- if I was
5 wearing the one dress, I would say two weeks
6 they would come to me and say you have to change
7 your dress and buy a different dress, and I had
8 to buy it.

9 Q Who was they?

10 A They? The manager. They come to me
11 and say, "Blerta, you have to buy a new dress
12 because you're wearing this dress same -- you
13 know, every time."

14 Q So how many dresses did you have to
15 buy?

16 A Probably 20.

17 Q 20 dresses?

18 A Yes.

19 Q And did they all cost about \$180?

20 A Yes.

21 Q Did you buy them all from Scores?

22 A Yes.

23 Q Did you ever look elsewhere for
24 dresses?

25 A No, because I never -- I looked, but

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2 I never found right ones, you know, that Scores
3 would accept it.

4 Q So you looked elsewhere for dresses?

5 A Yes, but I couldn't find the kind
6 of -- you know, that kind of -- type of dresses.

7 Q And -- I'm sorry. Did you say they
8 were all \$180?

9 A Yes.

10 Q And the high heels, how many pairs of
11 high heels did you end up buying?

12 A Be about ten to 15. I mean, maybe
13 more. I don't remember. It's hard question. I
14 had to look different. I don't remember.

15 Q Now, where did you purchase the high
16 heels from?

17 A Scores.

18 Q All from Scores?

19 A (Indicating)

20 Q Did you look anywhere else to
21 purchase high heels?

22 A No. It was just from Scores.

23 Q Now -- and how many pairs of
24 underwear did you have to buy?

25 A Plenty. I don't remember how many.

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Q Plenty.

A I bought -- I don't remember. It's a hard question for me, because I don't remember. It's --

Q I'm just asking you to give an estimate based on how many --

A Could be 20 pairs or -- you know, maybe. I mean, I don't...

Q And where did you purchase the underwear from?

A Scores.

Q Did you look anywhere else for underwear?

A No, because I never found those underwears. It was completely new.

Q What about the garters? How many garters did you have?

A Garters, every three days one garter, because always I was losing in Scores.

Q You purchased them all from Scores?

A Yes.

Q So you bought a new garter every three days?

A You know, I was losing them. I would

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2 forget them. I was in the dressing room or
3 whatever. Next day would be -- I don't know
4 where it is.

5 Q And you always purchased it from
6 Scores?

7 A (Indicating)

8 Q Did you ever look anywhere else for
9 garters?

10 A No. It's a certain type of garters.
11 I couldn't find anywhere. Like they made their
12 own design, you know. It's --

13 Q Now, the high heels that you
14 purchased, could you wear those high heels
15 outside of work?

16 A To me, no, because I'm not
17 comfortable. I would not -- they would not look
18 good. Like personally I'm talking for myself.
19 I don't know for anybody else.

20 Q They weren't your personal taste in
21 high heels?

22 A No.

23 Q But you say somebody else could have
24 worn such a thing?

25 A Could be. I don't know about

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somebody else.

Q What about the dresses? You said you wouldn't wear those dresses outside?

A Nobody will wear those dresses out.

Q Nobody would wear those dresses?

A No. Completely not.

Q This is New York. Nobody would wear those dresses out?

A Could be New York, but I don't think those dresses would be -- no.

Q You don't think so.

A Yes. Thousand percent, no.

Q Now, why did you ask to go from the west side to the east side?

A Why? I just -- I just want to switch clubs, you know, and -- I don't know. Just feel -- I got -- not tired, but I just felt to switch clubs and just wanted to change, to move.

Q Was there somebody that you wanted to work with?

A No. Not really, but I just -- not feeling, you know, myself there. I just wanted to move, you know.

Q Was it easier for you to get to the

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Q Did you ever get a ride from anybody?

A No. Like when I was -- the train was not working I had to take a cab. I had to go to work.

And if I would not go, they would have fired me. I called. I said I don't know how I'm going to get, you know. "You have to take cab ride or just take whatever."

Q When you came -- when you worked on the east side, how did you get to work?

A By train. I would take the N train to Lexington and 60th Street, East 60.

Q So it was just one train?

A Yes. And I had to walk two blocks, two -- two or three blocks. Two and a half probably.

Q Now, why did you leave Scores East?

A I got pregnant.

Q And did you decide to quit?

A I told -- I give them notice. I said, "I can't work anymore. I'm pregnant," and that was it, but I have to give them notice, like two weeks or a month.

Q Who did you give notice to?

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A To the manager.

Q And who was the manager you gave notice to?

A Robert. I give notice to Harvey, one of the owners.

Q You gave notice to Harvey?

A Yes. I told him too. I see him once in the club, and said I told manager -- I mean Robert too. I said I'm pregnant. I can't work anymore. That was it.

Q When you say you had to give notice, who told you you had to give notice?

A Who told me was the rules. When I got hired, they told me if you're going to leave the club or anything, any type of -- if you're going to move you have to give notice two weeks to a month ahead.

Q Who told you that?

A The house mom.

Q Who was that?

A Was -- I mean, it was both. Marguerite or Lisa. On east side was Lisa. I mean, when I moved to the east side it was Lisa, because I asked her when I got pregnant.

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2 I said, "Lisa, I'm pregnant." She
3 was saying just tell Robert, you know, two
4 weeks, or Harvey, and that's what I did. I gave
5 notice, and I am not working anymore.

6 Q And you told them that you were
7 pregnant?

8 A Yes.

9 Q Now, what is Harvey's last name?

10 A I don't know.

11 Q But you knew him as one of the
12 owners?

13 A I believe, yes. Yes. He -- that's
14 how you pretend yourself. That's how he
15 pretend. He was one of the owners. I don't
16 know.

17 That's -- I mean, everybody -- you
18 know, even when we had to do our meetings, he
19 was one of the owners. I don't know.

20 Q When you say you had to do
21 meetings --

22 A When there was a meeting in dressing
23 room, like every other week or every four days
24 or something, you had to -- all the girls
25 together in the dressing room. Like some

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things, whatever they had to do meeting. I don't -- you know.

Q Okay. Now, how frequent were these meetings?

A Once a week or twice a week or once in two weeks. Depends whatever they had to say something to the girls or whatever they had to talk to us. They would do meetings in the dressing room.

Q Who -- who spoke during these meetings?

A Sometimes it would be the manager and Harvey, one of the owners, and wherever -- sometimes was different people.

I don't remember. I don't talk for such. I mean, whatever they had to talk about. I don't remember.

Q Do you remember any of the issues that were discussed at these meetings?

A I remember the issue had to sell bottles all the time, about the VIP rooms. They were going after us.

You have to -- you know, they go each -- after each girl. "You went for this

VIKKI

kind of hours. If you going to go one more time, if you're going to continue that, and don't sell bottles, that's how we make the money. You have to push to sell bottles." And this was more particular meeting. More going after.

Q You were talking about the VIP rooms.

A Yes.

Q What's that?

A VIP room is -- that's a room. And you -- it's for an hour. And you have to dance. It's a private room.

Q You danced in the private room?

A Yes.

Q And who decided or how was it determined how much you would get paid to dance in the private room?

A The Scores would decide. I would get \$500 and plus the room, whatever the room was, 1,500, 1,200.

I don't know. Was some money. You know, it was -- different rooms was different prices, or I don't remember how the rooms were.

Q You're talking about the room price?

1 VIKKI

2 A Yes. I mean, I don't know about the
3 room prices, how they going to -- you know, how
4 they charge, but was about 12 to 1,500 or a
5 thousand. I don't know how they -- about the
6 room. I know I will make 500.

7 Q You knew you would make \$500 to go
8 into a room?

9 A Yes.

10 Q Always?

11 A Always \$500. Yes.

12 Q Could you negotiate more or less?

13 A No, because I would be in trouble and
14 was not part of the -- no.

15 Q That was for one hour?

16 A Yes.

17 Q When you say you would be in trouble,
18 what makes you think you would be in trouble?

19 A Because if I was saying, you know,
20 for more, was -- you know, they would go after
21 me and say, "You know what? You're fired. Why
22 you ask the customer for more money?"

23 Q Who is they? Who was --

24 A The staff. Whatever. The host could
25 be -- you know, was so many people over there,

VIKKI

the host, because I want to talk to them," and for a price and stuff.

Q So what is it that the host would explain to the customer?

A They would explain the room and how much would be the room.

Q The room cost?

A Yes.

Q Okay. What else?

A How much I will get.

Q How much for you?

A Yes, and that's it.

Q And what did you say about tip-out?

A Tip-out. I mean, the customer would get two checks, one for the room and one -- I mean, one for the room money and one for, you know, my money.

I mean, you know, like two separate checks. One is 1,100 or 1,200 or 1,500, whatever it goes to cost the room.

He has to sign two checks. If he's going to pay by credit card, because always he had sign two checks. One for room and one for like the money I will get. And...

VIKKI

Q All right. So you're saying there were two checks.

You mean the person -- he put it on his credit card?

A Yes.

Q The customer would put it on his credit card, and he had to sign twice?

A Yes.

Q And you understood one signing was for the room and one was for your fee?

A Yes.

Q And did the host tell the customer how much your fee was?

A Yes. 500 for the girl and whatever it was for the room. It's -- price is -- depends which room, you know. There was some different rooms. That's why.

Q And what did you mean by tip-out?

A By tip-out?

Q Yes.

A What I mean -- I mean I have to pay the house fee with 180.

Q The house fee was 180?

A Yes.

VIKKI

Q Is that every day?

A Exact.

Q Okay.

A You have to pay the DJ. If I was -- if I was -- you know, he will put me off the stage if I had to now go -- if I didn't want to go on stage, I had to pay \$100, and if I was going -- you know, if I was going on stage I had to pay 40, but it was never 40, because if I was giving 40 he would put me more. If I had to go ten times he put me 20 times. It would be 60 or 80 or whatever.

Q You're talking about the DJ?

A I mean, you say tip-out, what I should tip out the entire night which -- I mean --

Q All right. We can go into that later. Let me just go back to the private room situation, okay?

You mentioned the tip-out at the private room.

Was there a separate tip-out in connection with the private room?

A The tip-out -- end of -- the

1 VIKKI

2 private -- when the room -- I mean, when hour is
3 finished I had to tip the host.

4 He was getting tip from customer, and
5 I had to tip him. You know, if I will not tip
6 him, you know, they come to me, "Where's my
7 tip?" Or --

8 Q So did you decide how much to give
9 the host?

10 A It's pretty much ten percent. I have
11 to tip them. Like figure 60, \$80.

12 Q Now, in addition to the money that
13 the customer puts on the credit card for your
14 fee, did the customer also give you money in the
15 room?

16 A No. The customer would tip me when
17 he signs the \$500. He will tip me right off
18 there.

19 Like if the room is 500, or is ten
20 percent -- is ten-percent surcharge, whatever it
21 costs.

22 He can pay by credit card. If they
23 pay funny money, it's 500, but the charge is 600
24 on credit card, because it's ten-percent fee.

25 I don't know how that works for

VIKKI

Scores. I mean, when he signs my money, it's 600 on the credit card, but comes out to 500, because they keep ten percent.

Q What happens to that 500?

A I take the 500, but when he tips me -- I mean, he sign for 500, and he will say, "I give you \$100 tip or 200 or \$50," whatever he wants to tip me. I never get that tip. Host gets the tip, but I never understood why is that.

Q The host would get the tip?

A Yes.

Q You mean on the credit card he would put additional tip?

A For me, and I would -- I never got the tip. Almost three years I work over there, I never got a penny.

Q You got the \$500?

A Yes.

Q And how did you get the \$500?

A Funny money.

Q It was in funny money?

A Yes.

Q So that was all you received from the

VIKKI

customer?

A Yes.

Q Was the funny money?

A Yes.

Q Did you receive it all at once?

A Yes.

Q They would hand it to you before you had to dance in the room?

A No. You would start dancing, and he would come with the funny money. The host will come with the funny money after 10, 15 minutes, 20 minutes, 30 minutes, but he will come.

Q The host would come into the room?

A Yes.

Q During -- while you were dancing --

A Yes.

Q -- the host would come into the room?

A Yes.

Q So you would get \$500 in funny money?

A Yes.

Q Did some customers give you money over and above that money?

A (Indicating)

Q Did --

VIKKI

A No, because the customers always tip me by credit card to the -- you know, and I never got that money. They never give it to me.

You know, not me, but to all the girls, you know. And I never asked. But he was saying, "I left your tip," and if I would say, you know, to the customers I don't get the tip, you know, I would get a large trouble.

If I was asking, you know, if he tip with credit card where's my tip, I get in trouble, like forget it. And always -- I never -- I never asked them.

Q Okay. Let me go to the issue of the house fee.

Was the house fee always the same amount of money?

A It was 180.

Q Always 180?

A Saturdays was, I believe, 160 or 140. I don't remember. Because I --

Q Saturdays was less?

A Yes -- no. Sundays. I'm sorry. Sundays was something -- I don't remember. It's been awhile for me I didn't work over there, and

VIKKI

it's changed, you know.

Q Let me ask you this. Was the house fee always the same amount of money?

A I mean, six days a week was -- no. I'm sorry. Mondays was 160. And rest of the days and Sunday was same thing.

Monday or Sundays was probably 140, 160. Sometimes was -- Sunday was a little busy. I couldn't afford it.

I will pay probably \$80, because -- I mean, I couldn't, you know. I'm going minus, only I had to work those days. I was...

Q When did you pay the house fee?

A To the house mom.

Q When though?

A When? End of the night.

Q The end of the night you paid the house fee?

A Yes. I couldn't leave if I was not paying the house fee. I had to pay.

Q Could you pay the house fee in funny money?

A Yes.

Q Did you typically pay it with funny

VIKKI

money?

A Half and half. Whatever, you know. Sometimes, you know, I didn't have funny money and will pay cash, and I would go home with zero. Depends on the night.

Or maybe I cashed funny money and I think maybe I'm going to take -- I'm going to make funny money later.

I never did it. Was never busy, and I had to pay with my money, the money I made the night before.

Q So you could end up with less money than you started with?

A Oh, yeah. Of course.

Q So you could actually loose money by working a whole shift?

A Not one time. Some of the times.

Q Excuse me?

A It's -- yes. So many times that happened.

Q That happened several times?

A Yes. Like sometimes -- I mean, I will go to the manager. I will say I can't -- I can't pay. I'm not going to pay 180.

1 VIKKI

2 Q So the DJ also would sign the receipt
3 book?

4 A Yes.

5 Q Okay. And you would put down how
6 much you paid the DJ?

7 A Correct.

8 Q And what would you write down for
9 the --

10 A DJ I write down.

11 Q Just DJ?

12 A Yes.

13 Q Is there anyone else you had sign
14 your receipt book besides the house mom and the
15 DJ?

16 A The makeup artist, the house mom tip.

17 Q Let's start with the makeup artist.

18 A Yes.

19 Q Who was the makeup artist?

20 A It's Kasha or Jennifer.

21 Q Kasha?

22 A Yes. Or Jennifer.

23 Q Is this at Scores East?

24 A Yes.

25 Q And what did Kasha or Jennifer do for

VIKKI

you?

A Jennifer and Kasha, they makeup artist. They will do my makeup.

Q So when you arrived at the club, you didn't have any makeup on?

A No. I would do makeup over there.

Q You did it at the club?

A Yes.

Q You did it yourself or they did it for you?

A If I would do it myself, I could do it. I could use makeup or my makeup. You know, they would help me if I didn't have something, and if I was just not feeling to do the makeup they do it for me, and I would pay them.

Q But could you decide to do your makeup on your own?

A Yes.

Q And not pay the makeup artist?

A Yes. But you to tip them anyway.

Q You had to tip them whether you used them or not?

A Yes. If I was doing my own makeup, you have to tip them \$20. And if they going to

VIKKI

do that for me I would tip them -- it was 40
makeup.

Q Now, who is it -- who -- did anyone
ever tell you that you had to tip them --

A Yes.

Q -- whether or not you used them?

A Yes. First day I start, that's what
I explained to tip. You know, they saying tip
the makeup artist. You have to tip the DJ. You
have to tip the house mom. You have to tip
each.

Q So you had to pay the house fee to
the house mom, and you had to pay the house mom
a tip?

A Yes.

Q And how much tip did you give the
house mom?

A It was mandatory \$5, but I had always
to give it to her \$20, because --

Q It was mandatory \$5?

A \$5. But, you know, she would do a
lot of stuff, you know, for us, and I would give
her 20.

She was nice. If I need something,

VIKKI

she would help us. She -- I would give her 20, sometimes 40. Depends, you know.

Q What is it the house mom would do for you?

A You know, she would help. I mean, it's some things. If we had headaches or -- you know, she would get -- I mean, you know, if we needed something. Different ways, you know, but it helps.

Or if I have something to sew, you know, like a dress or a -- she will help me, you know.

Or if I had to buy, you know, something, you know, she will give it to me. If I had to buy a garter, that's what I have to -- you know, from the house mom.

Q She would sell you things?

A Yes.

Q Okay.

A She would bring us, you know, like candies or like desserts, you know, when I had a break. I mean, she was nice.

Q Now, did you ever have a problem with the dress, like it needed some mending or sewing

VIKKI

Q How big was the locker?

A Was not big. Was just a little locker. I would -- like a gym locker.

Q How many dresses could you fit in a locker?

A Four. Three, four. If I would want stay nice, I only keep one or two, but...

Q Now, when you left Scores East, did you take all of the stuff out of your locker?

A Yes.

Q So you still have your dresses?

A Yes.

Q So you said it was a mandatory \$5 tip to the house mom?

A Right.

Q And who informed you of that mandatory tip?

A It was rules of the club.

Q Who told you that?

A The house mom. She would say, "It's \$5 mandatory to makeup artist, and \$5 mandatory to me," to the house mom. That's for house mom. And she would say, "It's \$40 for DJ. If you want to keep off the stage it's a hundred

1 VIKKI

2 dollars." She would say if you --

3 Q I missed what you said. You said the
4 DJ was \$40?

5 A \$40. If don't know want to go -- if
6 you --

7 Q On the stage?

8 A If you go on stage it's \$40. If you
9 don't want to keep on the stage it's a hundred
10 dollars.

11 And if you on stage, it doesn't
12 matter. If you go all night on the stage -- I
13 mean, in the end, when you going to go home, if
14 you go to the VIP room for two hours, you still
15 have to pay him \$100.

16 Doesn't matter if you -- if you went
17 all night long on the stage. You go more than
18 two hours, two hours is enough. He needs -- you
19 have to pay him a hundred dollars.

20 Q You paid him less if you went on the
21 stage?

22 A 40. I will pay him 60 because, you
23 know -- I would say I will -- he was -- I mean,
24 that's how he works for tips.

25 Q Now -- so you would tip the DJ?

1 VIKKI

2 A Yes.

3 Q Now, did you ever tip the DJ to play
4 certain music that you wanted played?

5 A Sometimes, yes. Because he was
6 saying, "I don't have that song," you know. He
7 will play that kind of trick, and I would say,
8 "All right. I'm going to tip you at the end.
9 I'll give you \$20."

10 Q And then he would have the music?

11 A Yes.

12 Q Or did you bring your own music?

13 A No. I never bring my own music. He
14 had, you know.

15 MR. CAPOBIANCO: I'd like to
16 have this marked as Vikki Exhibit 1.

17 (Vikki Exhibit 1, application,
18 was marked for identification, as of
19 this date.)

20 Q Now, Ms. Vikki, when you first went
21 to Scores to apply for the job, did you fill out
22 any paperwork at that time?

23 A I don't remember. I remember on east
24 side, but I don't remember.

25 Q Now, this document that we marked as

1 VIKKI

2 Vikki Exhibit 1, is this in your handwriting?

3 A This one, yes.

4 Q Yes. And this address here, 928 59th
5 Street, was that one of your addresses?

6 A Yes. It's one of -- I used to live
7 with my aunt a long time. I just see I
8 remember. Since when I moved to New York, the
9 first address I had.

10 Q So this was the address you had when
11 you first moved to New York?

12 A Yes.

13 Q Okay.

14 A I'm sorry. I didn't -- I didn't
15 remember this address. It's been awhile.

16 Q How long did you live at that
17 address?

18 A About a month.

19 Q One month. So do you think -- was
20 this the application you filled out when you
21 first started?

22 A Because I put this address, because
23 my aunt were not moving anywhere. That's why I
24 put the address.

25 You know, it was like anything I

1 VIKKI

2 A You couldn't work.

3 Q You put your real name on this
4 document, didn't you?

5 A Yes, because it's a document. You
6 know, I have to say, you know, but you can't --
7 you know, couldn't use your real name. Like to
8 work over there you had to have a stage name.

9 Q Okay. So does it mean that when you
10 spoke with fellow dancers they knew you as
11 Marissa?

12 A Yes.

13 Q Or was it a name that you were
14 supposed to use when a customer asked you your
15 name?

16 A Correct. Or if they would call me on
17 stage, I had to use Marissa. In Scores they
18 have to call me Marissa, not my real name.

19 Q That's what everyone called you?

20 A Correct.

21 Q Okay. Did you have any friends when
22 you worked at Scores?

23 A Friends like a worker? Yeah. We
24 would say, "Hi. How are you?"

25 Q But I mean, did you ever tell anyone

VIKKI

what your real name was?

A (Indicating)

Q Even those friends called you Marissa?

A Marissa.

Q Did you have any friends that you saw outside of work?

A I was not hanging out too much. I was working. You know, I had work and home.

Q Did you ever go out with friends, anybody from work after work?

A No.

Q Never went anywhere in the neighborhood for a bite to eat or anything?

A No.

Q You went straight home?

A Correct.

Q Now, did you work any specific days of the week?

A I worked six days a week.

Q You worked six days a week?

A Correct.

Q When was that?

A Almost two years and a half, almost

VIKKI

three years.

Q You worked six days a week every week?

A Yes. Except two times I took vacation, probably two weeks.

Q You took vacation two times for two weeks?

A About there.

Q Now, did you decide you wanted to work six days?

A Actually you know, they was decide five days a week, but sometimes like example, if they did not have enough girls for Monday or Wednesday or whatever, you know, if I want to take it, they would say, "Could you please come to work," you know -- or Wednesday was happy hours five to seven.

They open the bar five o'clock, and house mom say, "Can you please, Marissa, come to work? Be here 4:30." "Yeah. Okay."

Q So the house mom called you Marissa?

A Yes.

Q So the house mom would ask you if could work a certain day?

VIKKI

A The manager will ask me.

Q The manager, not the house mom?

A No. The house mom will ask me, but the manager, Robert, will say "Marissa, please," or in the beginning when I started you have to work. I mean --

Q Then later on it became please?

A Yes. "Please can you?" I mean -- I will say no, I can't work. He said no. They would start, you know.

They will say why I do -- I mean, "You know, you have to work. You have to help me," you know.

Q Did you ever tell him no, you couldn't work, you had something else planned?

A Because -- I mean, I told him couple of times, and they said, "We need the girls for this kind of shift."

If you not working for four, five years, you know, like you couldn't say like I'm a new girl.

I was working there almost, you know, three years and a half, two years. And would say okay, you know. I didn't want to. They

VIKKI

host?

A Correct.

Q Okay. So for two hours you could make a thousand dollars minus 120?

A Correct.

Q So then couldn't you have evenings where you made more than a thousand dollars?

A Because after two hours you going to be in the a VIP room, you're going to dance for two hours.

I will not have any more energy to stay on high heels to go to the floor. I would be tired, to stay in dressing room until 3 a.m.. Time will come I go home.

Q So you could just sit in the dressing room and not go out on the floor?

A I will go on the floor. You know, I'll go, but sometimes, you know, it's just -- customers said, you know, it's -- I don't want it, you know.

I don't want, I mean, to dance or I just want to look or just sit, whatever. It's not like you're going to make -- you can make probably a hundred more of that, but not very

VIKKI

often.

MS. GREENE: Could you read
that last question and answer,
please?

(The requested portion was read
back)

Q Let me ask you this. Could you
decide when you wanted to take a break in the
dressing room?

A I could decide to go for five minutes
or ten minutes, and if I was taking for longer,
the manager will come, everbody outside the
dressing room on the floor.

And, you know, I had to go on the
floor, so I had to ask. You know, I have
customer, but if he don't want to get a dance, I
couldn't do anything.

I just sitting in the bar, and
wherever new customer will come, you know, I'll
go ask again, or after ten minutes I will say,
"You ready now?" Or "Would you like?"

But I couldn't stay for entire
dressing room. Nobody will let me. Like I will
come -- you have to go on the floor. It's

VIKKI

not -- you know, you can't stay there.

Q Now, at the end of the evening you would have some cash and you would have some diamond dollars?

A Yes.

Q Did you have to -- did anyone record how much cash you made?

A What you mean? I don't understand the question.

Q Well, did anyone ever ask you how much cash you made that evening and was -- did someone write it down on a piece of paper?

MS. GREENE: Objection.

Q Do you understand the question?

A I don't understand what you mean by that.

Q Okay. So the end of the evening comes. You have some cash and you have some diamond dollars, right?

A (Indicating)

Q Do you have any other thing of value besides cash and diamond dollars?

A First of all, I mean, I will make probably \$40 in cash, and 95 percent was diamond

VIKKI

dollars.

Q 95 percent was diamond dollars?

A Yes. If I have cash at the end of the night, it be will be probably cash I took with me in case for -- you know, for my money.

I mean, I took -- I always have -- was taking cash with me. If anything happened, I have to have cash with me, because whatever I was cashing in the funny money, I will not get cash.

I get checks and, you know, how I knew I was getting cash the shift I was working, I had to have cash with me.

Q Okay. So you say you may have brought your own cash?

A Yes.

Q But aside from the cash you brought yourself, you could get tipped cash by customers?

A It would be five percent.

Q A small amount, but you could still have cash?

A Yes.

Q My question is, from the cash that

1 VIKKI

2 you got from the customers, did you have to tell
3 anybody that you made this much in cash?

4 A I mean, I didn't have to tell
5 anybody, you know, but end of the night, you
6 know, the house mom willl say, "How much did you
7 make?" And I was -- I always was honest. I
8 paid this guy money.

9 Q The house mom would ask you. Did she
10 write it down?

11 A No. I don't remember. I don't -- I
12 believe not.

13 Q Do you know why she was asking you?

14 A I don't know. I don't know. I can't
15 answer the question.

16 Q So then would you have diamond
17 dollars?

18 A Correct.

19 Q How much -- how much in diamond
20 dollars would you have on a typical evening?

21 A Could be -- I mean, it depends on the
22 day. I can't say.

23 Q What was the average day?

24 A Will be, you know, 300, it will be
25 500. I told you, you know, I can't really say

VIKKI

how much.

Q Well, how much would you have on a good night?

What was the most in diamond dollars you ever had?

A Thousand.

Q Okay.

A I mean, before I tip everybody. After I tip everybody, you're not going to -- it was not a thousand. It was a tip-out.

Q We talked about the people you tipped out and how much you paid them.

A Yes.

Q So -- and you tip them out in diamond dollars as well?

A Yes.

Q So after you tip everyone out, then you have 800 diamond dollars or whatever, 300 diamond dollars, \$500, whatever you had.

What did you do with the diamond dollars?

A I had to cash it out.

Q So what does that mean? Where did you go?

VIKKI

A I had to go to the office, you know.

Q To the office?

A Yes. And there was a time between nine to ten or seven to nine. I don't remember. You know, between seven or eight to ten, whatever, you know, wherever they would make a DJ -- the DJ would make a call, like they doing diamond dollars.

But that was between, I could say, 7:30 to 10:00 or depends. You know, like not more than 10:00, 10:30 to be, but always the DJ will say the funny money now. They're doing funny money.

Q And the DJ would make that announcement. You could go down to the office?

A Yes.

Q Where was the office?

A It was -- soon as you walked to the club, and it's on the right. Right before you go to the restrooms.

Q And so you go to the -- you would go to the office and you would do what? Give --

A I would wait on the line. I would say one by one. And I would give the diamond

VIKKI

dollars, and he will give a check, and the check will be cashed after two weeks.

Q Would you get a check right there?

A Yes.

Q Would you get a check right then and there?

A Yes.

Q And so you've given the diamond dollars and then you'd get a check.

Did you have to sign a piece of paper?

A Correct. Yes. I have to. I had to.

Q So if you turned in a thousand dollars in diamond dollars, how much would the check be for?

A It's -- they keep -- I mean, it was ten percent. They keep ten percent. They put in -- I mean, after awhile, they took 20 percent.

You know, they had -- if I -- you know, they'll keep 20 percent. They change it back to ten percent, but between ten and 20 percent they'll keep for the funny money.

Q So it went to 20 percent for awhile?

VIKKI

A Yes.

Q This is on the east side?

A Both clubs. It was -- when I was working on the east side some -- you know, then maybe it was about three or four months they were charging 20 percent, 20 percent, and then went back to 10 percent.

Q So you go with the diamond dollars. You give in, let's say, a thousand dollars in diamond dollars.

You get back a check right away that's made payable to you?

A Yes.

Q It has your name on it?

A Yes.

Q It doesn't say Marissa?

A No.

Q It has your name on it?

A Correct.

Q Does it have an address on it?

A No. I don't remember. No. The date.

Q Was there any taxes taken out of the check?

1 VIKKI

2 A I had to pay and -- but it was ten
3 percent. I told you what they had to.

4 Q No. I understand the ten percent.
5 I'm asking you if there were any taxes deducted
6 from the check.

7 If you put in a thousand dollars, how
8 much would the check be for?

9 A They could keep 10 percent or
10 20 percent, whatever, you know, and I'll get the
11 rest. End of year I would pay the taxes, 1099,
12 but not, you know...

13 Q They didn't deduct the taxes while
14 you were working there?

15 A No.

16 Q Okay. So every day that you worked
17 you would cash in the diamond dollars and get a
18 check?

19 A If I had it, you know. I mean,
20 whatever I had, yes. Or some -- you know,
21 sometimes it was holiday. The banks was not
22 open. We couldn't cash the money, funny money.
23 We were working, but couldn't cash it.

24 Q No. I'm not talking about the
25 diamond dollars.

VIKKI

A I will take it. We put it in a locker or take it with me at home. After 10 o'clock you not cashing anymore.

Q So you had to cash them in the next day?

A Yes.

Q Between 7:30 and 10:00?

A Yes.

Q Did you ever ask a manager to cash in your diamond dollars at the end of your shift because you were going away on vacation, for example?

A I did, and they didn't work.

Q Who did you ask?

A Who's doing the funny money? Giuseppe, or who's doing the funny money? I forgot the other guy's name.

It was other guy's name, Lenny. I don't remember what his name was. He was in the west side. Lenny I think it was.

Q So you asked Lenny or someone else?

A Yes.

A I mean, he will cash me. You know, I will tip him too. He said, you know, the rules,

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you know.

He would say, "I going on vacation tomorrow. Can you please -- you know, give me check."

But I'm not going to be -- you know, like basically like in every six months they put new funny money.

And since this money expired, I couldn't cash it anymore. If they want to cash it for me, they will take 50 percent, because the money expired already or not at all. Just keep it.

Q So you're saying that if the money was already expired, then you would have to pay more than the ten percent?

A Yes.

Q But you could still get it?

A To me that happens one or twice and, you know, I mean, they did it, you know, even 50 percent, but they did it.

I said okay. I didn't have a lot. That's why probably did it, or if I had a lot -- I mean, some girls they had over 300. They would not do it. They would say no.

1 VIKKI

2 Q So you're saying that when your shift
3 ended at 3 o'clock in the morning, so at three
4 you left?

5 A Yes.

6 Q Is that what time you left every day?

7 A No. Sometimes I will leave 4:00,
8 4:30 but 4 o'clock you stop alcohol. And until
9 the club is going to be closed, it's like 4:15,
10 and you had to wait for everybody to get out of
11 the club to, you know, make sure everybody is
12 out, and by the time you get out it's a quarter
13 to five, and I start 6:30. That's how many
14 hours I work.

15 Q Let me see if I understand what you
16 just said.

17 You said that your shift was until
18 3 o'clock?

19 A Yes.

20 Q But you didn't leave at three
21 o'clock?

22 A Because if -- sometimes I would
23 leave, but like many girls, you know, they will
24 leave before. You know, "I'm leaving, I'm
25 leaving, I'm leaving."

1 VIKKI

2 after 4 a.m. in the morning.

3 Q They always did it anyway?

4 A Yes.

5 Q But you understood that the rule was
6 that you couldn't serve alcohol after 4 o'clock
7 in the morning?

8 A Yes.

9 Q Now, did you understand that --
10 that -- look at Number 5 here.

11 If you had -- if any customer made
12 any improper physical or verbal advance to you,
13 that you were supposed to report that to Scores
14 management?

15 A I don't understand this question.
16 What you mean? Can you clarify it, please?

17 Q Let me read Number 5.

18 A I can read Number 5, but it's too
19 complicated. I don't understand clearly the
20 question.

21 Q You can read Number 5, but you don't
22 understand my question?

23 A I mean, it's too complicated. You
24 know, like I -- I don't...

25 Q Well, let me just read for the record

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Number 5.

"While working at Scores, I am to immediately report to Scores management any improper verbal or physical advance or suggestion of any kind made to me by either a customer or staff member."

When you were working at Scores, did anyone make an improper physical advance to you?

A Physical advance. What --

Q Did they touch you inappropriately?

A No.

Q -- customer? Never had that occur?

A No.

Q By a customer or a staff member?

A No. I will not let them, you know.

With a staff I will keep, you know, the distance.

Just say hi, bye, and the customer no. I was -- you know, the rules. He will not touch me.

Q Did you understand that there were rules that Scores imposed on the customers?

A Yes.

Q Okay. Did you understand that if

1 VIKKI

2 some customer violated those rules, you could
3 report them to the manager or to some member of
4 management?

5 A Yes. I will do.

6 Q Did you ever report a customer to a
7 member of management?

8 A Yes.

9 Q Why?

10 A I mean, sometimes, you know, they
11 will be like, "Oh, no. I'm not looking for a
12 dance, "or, you know -- I mean, probably was
13 drunk, you know.

14 Q What -- what was it that you were
15 reporting to management?

16 A You know, he was like probably like
17 more he wanted touch more, like more aggressive,
18 I should say.

19 And I will leave the room. I will
20 not report. I will report and leave the room.
21 That's it.

22 Q Leave the private room?

23 A Yes. I not going back. I don't care
24 who was. Maybe, you know, because some of the
25 customers they be regulars over there, and host

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accept, you know, like they have their own girl, you know, if the customer is coming there for ten years, but I will not accept that. No. I will just leave the room, not get my money and not go back, period.

Q Okay.

A And I -- you know, couple of times that's what I did. I left the room, and that is it.

Q Let's look at Number A -- well, first of all, above A it says, "I confirm that I am an independent contractor and not an employee of Scores."

Is that something you understood when you worked for Scores, that you were an independent contractor?

A No.

Q You didn't understand that?

A No.

Q Did you think you were an employee?

A Yes.

Q And did you say that to them?

A Yes.

Q And who did you say that to?

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A I said it to everybody.

Q Everybody?

A I said to house mom. I said to the manager. If I'm an employee -- if I'm independent contractor, why -- you know, like what I will say, for example, like even when you go to the VIP room, you can't -- why you have to -- I have to go and sell the bottles, champagne or whatever.

If I'm an independent contractor, I pay the house fee, and I will do whatever, you know, because I don't want to drink. I don't want to get drunk.

Why I have to down the champagne in front of the customers? You know, if you don't want to buy, you don't want to buy, you know. I mean, it's -- you know, if I was independent or if I was not, you know.

Q Did you get a fee for selling a bottle in the VIP room?

A No. And if I would not sell a bottle, they will come after me. "This is not nice, not working properly. You have to -- you know, that's how we make our money, you know.

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That's why you work here."

I mean, I don't feel drinking, and sometimes I did pour, you know, the champagne or the bottle of vodka, whatever drink he'll get.

You know, I will pour in the bucket, whatever, but he would see. Sometimes he would say, "Oh, cheers. Let's drink this shot."

You know, I don't want to drink. I don't want to get drunk, because that's not why I'm going over there.

You drink a glass of wine, but you can't drink two bottles of wine or you can't drink three bottles of champagne. You cannot, or is a drink I don't like it.

Or if the customer says, "No, I don't want to pay for champagne, you stick out with a pen and paper. No. He don't want. We push. "No, you have to pay."

You have to say -- go outside. The host will call out, say no, you have to sell it. You have to sell it.

Q Let's look at Number A. It says, "I have the right to perform services for others during the term of this agreement, and will not

VIKKI

be required to devote my full time to providing these services to Scores."

Did you understand that you were permitted to work for other clubs at the same time you were working for Scores?

A What you mean by that? I was permitted to work for other --

Q That you were permitted to also dance or be an entertainer at other clubs besides Scores while you were working for Scores.

A No. I couldn't work for the other clubs.

Q You didn't -- you couldn't work?

A No.

Q Why not?

A Because will not let me. If they going to find out, they will fire me.

Q Who told you that?

A Who told me that? Was a part of the -- that was explained the first day I sat with one of the -- you know, the house mom told me, "You can't work for no other club. If they find out you're going to get fired."

Q The next one says, "I will not

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receive any employee benefits, such as employee pension plan, employee health plan, vacation pay, sick pay or any other fringe benefit plan that may be offered by Scores to its actual employees." Was that true?

A I don't understand that question.

Q Well, did you receive any employee benefits while you worked for Scores?

A I don't remember.

Q Well, for example, when you went on vacation, did you get vacation pay?

A No.

Q Number C says, "I will pay all my own business expenses that I incur while performed under this independent entertainer agreement."

Did you pay your business expenses when you worked for Scores?

MS. GREENE: Objection.

A I don't understand that question. Clarify the question, please?

Q Well, if you purchased dresses, did you -- did you pay for the cost of the dress?

A Of course, yes.

Q When you took the bus, who paid the

VIKKI

giving written notice of termination with or without cause."

Did you understand that you could quit at any time or they could let you go at any time, with or without notice?

A No. It's not true.

Q It's not true. Why not?

A Because you can't quit. I'm just going to quit because if -- you know, what I would say.

If you just not -- if you're going to quit, at least -- like example this. I work tonight. I don't want to work anymore. I have a thousand funny money with me, right?

And if I not going tomorrow, after tomorrow they going to call me, you know. Because they never going to cash the money for me.

And that money is -- you know, that's why I have to let them know, you know. I can't work. Like two weeks in advance.

Q Now, when you resigned, did you have to put something in writing?

A What you mean by that?

1 VIKKI

2 Q You said you were resigning. You
3 quit because you were -- you were pregnant. You
4 told them you quit.

5 A Yes.

6 Q Did you have to sign -- put anything
7 in writing, saying "I resign" or --

8 A I give it -- yes. I put the letter.
9 Like I give it to the -- in the office. I don't
10 remember exactly.

11 Q You did write a letter?

12 A Yes.

13 Q Saying you were leaving?

14 A Yes.

15 Q Did you keep a copy of that letter?

16 A I nevet got copy. I don't have a
17 copy.

18 Q Now, did anybody at Scores West or
19 Scores East ever provide you with any training?

20 A What you mean, training?

21 Q Well, did they show you how to do
22 your job?

23 A I took -- to teach me, you mean?

24 Q Yes.

25 A No, but, you know, like -- I'm sorry.

VIKKI

In beginning when I start working over there, I was uncomfortable to take my dress off, and they would scream at me, "You have to take the dress off, you know, or we'll fire you," you know.

Q But did they know how to do it?

A Yeah. I mean, they will show me. Nobody danced for me. I can see, but they were saying to me, "Look at this girl what she do. That is what you should do."

Q So they pointed to somebody else as an example?

A "See what she does? That's what you should do. Take the dress off, you know. This is a topless, you know."

Q Did you ever get a handbook from Scores East or Scores West?

A What you mean by handbook?

Q A booklet.

A Regarding what?

Q Regarding house rules or suggestions for how you can make more money or anything like that.

A No. They would explain to us by speaking, but no.

VIKKI

Q Now, did you ever wear your dress to or from Scores?

The dress you had to wear while you were working there, did you ever come to work wearing that dress?

A No.

Q Did you ever have to carry a dress with you?

A What you mean, carry?

Q Bring it from home.

A Yes, because I had to wash it, and if I -- I wear that dress, you know, I have to wash it and iron it or dry clean, and I have to bring it.

Q So you just carried it on the subway?

A Oh, no. I put it in a bag.

Q No. You put it in a bag, but then you carried the bag on the subway?

A Yes. You couldn't carry even, you know.

Q So you never left Scores East or West wearing the dress?

A Absolutely not.

Q You changed in the changing room?

1 VIKKI

2 the night.

3 Q When you paid the house fee at the
4 end of the night, aren't you paying it in
5 diamond dollars?

6 A If I don't have cashed in diamond
7 dollars, I will pay cash in my own money I took
8 with me when I came to work.

9 Q Right, but if you are at the end of
10 the evening and you have diamond dollars, aren't
11 you going to pay your fees with diamond dollars?

12 MS. GREENE: Objection.

13 A I'm explaining, if I didn't have
14 diamond dollars because I cashed my diamond
15 dollars, I will pay cash.

16 Q I see. So you might have already
17 cashed in your diamond dollars?

18 A Yes.

19 Q Earlier in the evening?

20 A Yes. I don't have any more, and I
21 didn't got any more.

22 Q But if you're working until three in
23 the morning, wouldn't you receive any more
24 dollars?

25 A Maybe I don't make money. Maybe.

1 VIKKI

2 Q Maybe you won't make any money at
3 all?

4 A Maybe I make a hundred. I have to
5 pay 400 to house or 350 to house.

6 Q Was the house fee you had to pay the
7 same if you paid in a U.S. currency versus
8 diamond dollars?

9 A It was \$180 diamond dollars and 160
10 cash.

11 Q It was a \$180 diamond dollars versus
12 160 cash?

13 A Yes.

14 Q And that's what it was throughout
15 your employment?

16 A Yes.

17 Q The whole time you worked for Scores?

18 A (Indicating)

19 Q Now, if you look at the bottom of
20 Page 3 of this cash disbursements journal, do
21 you see that?

22 A Yes.

23 Q It says a diamond dollar pay-in of
24 \$1,170?

25 A Yes.

VIKKI

Q So do you remember receiving a check for more than a thousand dollars for the diamond dollars you cashed in?

A No, I don't. I don't remember.

Q If you look towards the top of the page, it says diamond dollar payout of \$1,656. Do you remember receiving a check that high?

A No.

Q For diamond dollars you paid -- cashed in?

A No. I don't remember. They will not cash more than a thousand. How I could get a check for \$1,600?

Q So you're saying that this document doesn't reflect checks you received?

A Because the rules, you cannot get a check of a thousand dollars, but more of that you can't -- you can't -- they're not going to cash it for you.

How it's possible I get a check for \$1,600? When the rules -- they don't cash it for you. That's why I don't understand. And I'm not lying from that.

Q So are you saying you never had to

1 VIKKI

2 Q Now, tell me -- tell me how you
3 received diamond dollars.

4 A What you mean by that, how I received
5 diamond dollars?

6 Q Well, who gave you diamond dollars?

7 A Who gave me diamond dollars? The
8 customer who came in with diamond dollars. Was
9 customers who buy diamond dollars with credit
10 card.

11 Q Customer buys diamond dollars with a
12 credit card, and then they pay you diamond
13 dollars.

14 What do they pay you diamond dollars
15 for?

16 A For dance.

17 Q DO they pay you diamond dollars for
18 anything else?

19 A They pay diamond dollars if you get a
20 dance on the floor and VIP rooms. They pay
21 diamond dollars.

22 Q Okay. So for you to go in a VIP room
23 they'll pay you diamond dollars for that as
24 well?

25 A Yes.

VIKKI

Q Do you receive diamond dollars for anything else?

A No. No. I'd say no. Just -- I mean, they go pay you for a dance and VIP rooms. That's it.

Q That's it. Okay. Okay. Now, do you tell the customer how much to pay you for a dance?

A I mean, most know, but some yes. I say \$20.

Q Okay. Can you say \$40 if you want?

A No.

Q So now why not?

A Because it's -- you know, if I'm going to say \$40 I'm going to get in big trouble, and they don't cost \$40. I would get fired completely.

Q Who told you that?

A Who told me? The manager told me that.

Q Which manager was this?

A Was Robert or whatever manager. You know, Robert or -- Robert.

Q Robert specifically told you that you

VIKKI

may only charge \$20 for a dance?

A Yes.

Q Okay. And that if you charged more than that you'll get fired?

A House mom will tell you that, too. Even Robert or house mom, you know. First day it starts, she explains no negotiation. Don't -- you know, it's \$20. You know, everything, all the -- what you should do.

Q Well, you said it was \$20 for a dance, but it was \$500 for a room?

A Yes.

Q And the house mom told you that that was not negotiable?

A No -- yes. I mean is not --

Q I'm sorry.

A Okay.

Q Which house mom is it that said this to you?

A It's both Lisa or Gina. Both working for club, and both had the same rooms.

Q They both told you that you couldn't negotiate a different amount for a dance?

A No.

VIKKI

Q Or for the room?

A No.

Q I mean, they told you that?

A Yes.

Q When was this?

A When they asked -- the day they hired me. And, you know, she explained to me everything.

Q Now, it's your understanding that you received this \$20 as a fee for the dance?

A I received those \$20 per dance.

Q Okay. And now, do you ever receive cash for a dance?

A Sometimes. But not that very often. Maybe five percent.

Q Do customers ever give you -- did they ever give you more than \$20 for a dance?

A No.

Q Never?

A No.

Q How long is the dance?

A One song.

Q One song.

A Or maybe a little bit more because --

1 VIKKI

2 one song.

3 Q I mean, if a customer wanted you to
4 dance for another song, could you do that?

5 A Yes.

6 Q Did that ever happen?

7 A Sometimes. But not very often.

8 Q Now, did you understand that when you
9 received the \$20 as diamond dollars, that that
10 was worth \$18 to you?

11 A Yes.

12 Q That you understood?

13 A Because it's -- yes. It's -- since I
14 start I was going ten percent, 20 percent that
15 would get from the funny money, and I do
16 understand that.

17 Q So at the time you actually received
18 the diamond dollars, the \$20 in diamond dollars,
19 you knew that you would only be getting \$18 in
20 U.S. currency for that?

21 A Yes. I believe, yes.

22 Q Now, the money you received for doing
23 dances or going into the VIP room, that was
24 money you received from the customers of Scores,
25 right?

VIKKI

host would keep it or if it would come to you in your next check?

A No. They keep it.

Q They would keep it. How do you know they would keep it?

A I never got the money.

Q How do you know it wasn't in your check?

A Because when I have to get the check, I know how much funny money I have, and I know how much the check is going to be. It never was more.

Q It was only the amount of the diamond dollars that you turned in?

A Yes.

Q I see. Did you ever -- were you ever able to exchange diamond dollars for cash rather than a check?

A No, because I never had cash. Maybe hundred dollars funny money or -- you know. I would cash it.

I will say I need cash, you know, at least, you know, something. Okay. But not very often.

1 VIKKI

2 Q I'm not sure I understand your
3 answer.

4 Are you saying that sometimes you
5 could exchange diamond dollars?

6 A Maybe one hundred funny money I will
7 exchange. Maybe once in three months.

8 Q You mean if you you needed the cash?

9 A Yes. I need it. I said at least,
10 you know, \$40, \$40 or \$100. Yes.

11 Q Now, did you ever receive diamond
12 dollars that was expired?

13 A I do receive once.

14 Q Once you received it? Were you able
15 to cash it in?

16 A No.

17 Q I thought you said you were able
18 to --

19 A Once yes, but once no, because once
20 was only one. I didn't even go. Maybe I would,
21 but I didn't go often, because I didn't have
22 that patience, you know, to say please, and come
23 this time, come a time, see him, go talk to a
24 manager, you know.

25 It was too much of aggressive for me.

1 VIKKI

2 I was getting like tired, you know, for \$20
3 funny money to talk to them.

4 People going to be like, "Oh, why you
5 accept it? You should see it." But it's dark.
6 You can't really see it, or somebody should just
7 take the money and --

8 Q You said too much what, harass?

9 MS. GREENE: Aggressive.

10 A I was getting -- I mean, I was tired.

11 MR. CAPOBIANCO: I still
12 haven't heard the word.

13 MS. GREENE: Aggressive.

14 Q Too much aggressive?

15 A Yeah, because if you go after that --
16 I mean, I will say for \$20 was a lot work for
17 me.

18 Talk to him, talk to the manager. Go
19 to Guiseppe, go to Lenny, say, you know, it's
20 okay.

21 I mean, it was too much. It was
22 not -- for a lot of work I had to do, it was not
23 worth it.

24 Q So on two occasions you accepted \$20
25 diamond dollars that were expired?

VIKKI

A No. Once I had about a hundred dollars. And 50 percent of that 50-50. The second time I had only one dance and I did, and it was expired. I just didn't even go after that.

Q So that was one \$20 bill?

A Yes.

Q Now, did you -- could you check the diamond dollar when you received it to see if it was expired?

A I mean, I could, but sometimes it's very dark and you can't tell by the colors and, you know -- like I'm not, you know, go to the light and --

Q Well, don't they look different? Don't they change the way they look when they print the new money?

A When inside the club and it's dark, you know, the colors -- the lights changing. You can't really -- because sometimes it's similar. Depends how they print it.

Q Now, was it up to you to decide whether or not you wanted to dance on the stage or not?

1 VIKKI

2 A As I'm saying, Robert. He was the
3 GM, because this was not his fault, but that's
4 how the club rules, you know, that people.

5 Q Now, how many times did Robert ever
6 come over to you and say they needed you right
7 now to dance on the stage?

8 A Many times.

9 Q Many times?

10 A Yes.

11 Q Well, how many -- how many times a
12 year did that happen?

13 A I don't know exactly, but happen a
14 lot of times.

15 Q How many?

16 A I don't remember like how many.

17 Q Can you give me an estimate of how
18 many times it happened during the time you
19 worked there?

20 Did it happen once or ten times or a
21 hundred times?

22 A 50 times probably.

23 Q 50 times you were told you had to
24 dance?

25 A Yes.

1 VIKKI

2 Q On the stage?

3 A Yeah.

4 Q Nobody wanted to dance on the stage?

5 MS. GREENE: Objection.

6 Q Do you understand that question?

7 A No. I don't understand the question.

8 Q Did -- was it -- was dancing on stage
9 something that a lot of the dancers didn't want
10 to do?

11 A Because a lot of the dancer probably
12 it was busy, and I really don't know, and we had
13 to go even if -- I don't know how they work over
14 there. Honestly I don't know. I don't know. I
15 never understood. I don't know.

16 Q You never understood what?

17 A How the stage works. Probably -- I
18 don't know. It's very difficult to explain, but
19 if I was not going on the stage it would be a
20 big problem.

21 Q Did you ever refuse to go on the
22 stage?

23 A Yes. I did a couple of times. I
24 never -- I went. You know, I start -- got -- I
25 said what I said, and they said, "I'm sorry.

VIKKI

Stage."

Q You mean you tried to refuse, and they said go on the stage anyway?

A Yes.

Q Who did that? Who did you try to refuse to?

A Try to refuse to the DJ. I said, "I'm not going. Don't call me." I said, "I'm paying you enough."

The house mom came and managers came, and I went to the dressing room. I said, "I'm paying him. I don't know, you know."

They said like, "But I don't have any girls to put on stage. You have to go." And I'm like explaining like why it have to be me.

Q You said that to whom?

A To the house mom, to the manager, to the DJ, two or three of them.

Q All three of them you said "Why does it have to be me?"

A Yes.

Q What did they say?

A "I'm sorry. It's all you."

Q It's all you?

VIKKI

A Yes. "All you to come to the stage. Just you. Stage is yours now." You know, had to.

Q Now, do you know -- did you know any of the bartenders when you worked there?

A I know by face, but not by names.

Q Did you ever discuss how the diamond dollars worked for the bartenders?

A No.

Q No. So do you know if they ever even received diamond dollars, the bartenders?

A No.

Q What about the cocktail waitresses? Do you know if they received diamond dollars?

A I don't know.

Q And do you know, if they did receive diamond dollars, how it worked for them?

A I don't know.

Q Did you ever have to buy any clothes for a theme night?

A Yes.

Q What was the theme night?

A It was Christmas, Halloween, Super Bowl, Valentine's Day.

1 VIKKI

2 Q You worked all four of those days?

3 A We start the week or two weeks early
4 for those. Days will come.

5 Q Tell me the days again? Christmas,
6 Halloween --

7 A Super Bowl.

8 Q Super Bowl.

9 A And Valentine's Day. We start two
10 weeks or ten days or week and a half until the
11 day will come.

12 Q What did you have to buy for
13 Christmas?

14 A Like a Santa Claus like outfit. Like
15 lingerie. Lingerie. Like --

16 Q Lingerie?

17 A Lingerie.

18 Q Santa Claus lingerie?

19 A Yes. I can't -- I don't know how to
20 actually explain to you, but lingerie.

21 Q You bought Santa Claus lingerie from
22 where?

23 A Scores.

24 Q How much did that cost?

25 A It was 100, a 120, 80, depending.